

## **GOVERNOR'S REGULATORY REVIEW COUNCIL**

This section of the Register contains information submitted for publication by the Governor's Regulatory Review Council. The Five-year Review Schedule is listed and will be updated as necessary. Also in this section will appear the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the monthly meetings.

### **NOTICE OF PUBLIC MEETING AND AGENDA OF THE JULY 9, 1996 GOVERNOR'S REGULATORY REVIEW COUNCIL**

Pursuant to A.R.S. § 38-431.02, notice is hereby given that the Governor's Regulatory Review Council will hold a regular meeting, open to the public, on TUESDAY, JULY 9, 1996. This meeting will be held at 9 a.m. in the auditorium on the first floor of the INDUSTRIAL COMMISSION, 800 WEST WASHINGTON, PHOENIX, AZ 85007. For additional information, call the Governor's Regulatory Review Council office at 542-2058. Pursuant to A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

- A. 9 a.m. - CALL TO ORDER**
- B. APPROVAL OF MINUTES OF:**
  - June 4, 1996, Meeting
  - June 4, 1996, Executive Session
- C. CONFLICT OF INTEREST**
- D. CONSIDERATION OF FIVE-YEAR-REVIEW REPORTS:**
  - 1. INDUSTRIAL COMMISSION OF ARIZONA (F-96-0701)**
    - 20 A.A.C. 5 Article 8, Provisions, Occupational Safety and Health Rules of Procedure Before the Industrial Commission of Arizona
  - 2. LAW ENFORCEMENT MERIT SYSTEM COUNCIL (F-96-0702)**
    - 13 A.A.C. 5 Article 1, General Provisions; Article 2, Investigation and Hearings; Article 3, Classification; Article 4, Compensation; Article 5, General Entrance and Promotion Provisions; Article 6, General Appointment Provisions; Article 7, General Employee Conduct Provisions; Article 8, General Personnel Provisions.
- E. CONSIDERATION OF ADOPTED RULES:**
  - 1. DEPARTMENT OF ENVIRONMENTAL QUALITY (AR-96-0601)**
    - 18 A.A.C. 12, Article 1, Definitions; Article 2, (New Article) Technical Requirements; Article 3, Financial Responsibility; Article 4, Underground Storage Tank
      - Amend:** R18-12-101 and R18-12-102
      - Repeal:** R18-12-103
      - New Section:** R18-12-210, R18-12-211, R18-12-220, R18-12-221, R18-12-222, R18-12-230 through R18-12-234, R18-12-240 through R18-12-245, R18-12-270 through R18-12-274, R18-12-280, and R18-12-281
      - Amend:** R18-12-300, R18-12-301, R18-12-303, and R18-12-305 through R18-12-309
      - New Section:** R18-12-310 and R18-12-311
      - Amend:** R18-12-312 through R18-12-316
      - New Section:** R18-12-31
      - Amend:** R18-12-318 through R18-12-320
      - Repeal:** R18-12-321
      - New Section:** R18-12-322 through R18-12-325
      - Repeal:** R18-12-401
  - 2. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (AR-96-0701)**
    - 9 A.A.C. 28, Article 3 (Pre-admission Screening)
      - Repeal:** R9-28-301
      - New Section:** R9-28-301
      - New Section:** R9-28-302
      - Repeal:** R9-28-303
      - New Section:** R9-28-303
      - New Section:** R9-28-304
      - New Section:** R9-28-305
  - 3. GAME AND FISH COMMISSION (AR-96-0702)**
    - 12 A.A.C. 4, Article 1, Definitions and General Provisions; Article 3, Taking and Handling of Wildlife; Article 7 (New

*Arizona Administrative Register*  
**Governor's Regulatory Review Council**

Article) Heritage Grants

Amend: R12-4-102

New Section: R12-4-123

Repeal: R12-4-305

New Section: R12-4-305

Amend: R12-4-308

Amend: R12-4-318

New Section: R12-4-701 through R12-4-712

4. **STATE BOARD OF DEPOSIT (AR-96-0703)**

2 A.A.C. 13, Article 1 (General Provisions)

New Section: R2-13-101 through R2-13-103

**F. ADJOURNMENT**

**PLEASE NOTE THE FOLLOWING:**

**TITLE II OF THE AMERICANS WITH DISABILITIES ACT PROHIBITS THE GOVERNOR'S REGULATORY REVIEW COUNCIL FROM DISCRIMINATING ON THE BASIS OF DISABILITY IN ITS PUBLIC MEETINGS. INDIVIDUALS WITH DISABILITIES WHO NEED A REASONABLE ACCOMMODATION TO ATTEND OR COMMUNICATE IN THE GOVERNOR'S REGULATORY REVIEW COUNCIL MEETING, OR WHO REQUIRE THIS INFORMATION IN AN ALTERNATE FORMAT, MAY CONTACT FRAN SIMPSON AT 542-2058, TO MAKE THEIR NEEDS KNOWN. REQUESTS SHOULD BE MADE AS SOON AS POSSIBLE SO THAT THE GOVERNOR'S REGULATORY REVIEW COUNCIL WILL HAVE SUFFICIENT TIME TO RESPOND.**

**SUMMARY OF ACTION TAKEN**

**June 4, 1996**

1. **Department of Environmental Quality (18 A.A.C. 8) [AR-96-0502]**

Article 2, Hazardous Wastes

Repeal: R18-8-260 through R18-8-266, R18-8-268, R18-8-270, R18-8-271, and R18-8-280

New Section: R18-8-273

**COUNCIL ACTION: Approved**

2. **Department of Environmental Quality (18 A.A.C. 12) [AR-96-0601]**

Article 1, Definitions; Article 2 (New Article) Technical Requirements; Article 3, Financial Responsibility; Article 4 (Underground Storage Tank Excise Tax)

Amend: R18-12-101 and R18-12-102

Repeal: R18-12-103

New Section: R18-12-210, R18-12-210, R18-12-211, R18-12-220, R18-12-221, R18-12-222, R18-12-230 through R18-12-234, R18-12-240 through R18-12-245, R18-12-270 through R18-12-274, R18-12-280, and R18-12-281

Amend: R18-12-300, R18-12-301, R18-12-303, and R18-12-305 through R18-12-309

New Section: R18-12-310 and R18-12-311

Amend: R18-12-312 through R18-12-320

Repeal: R18-12-321

New Section: R18-12-322 through R18-12-325

Repeal: R18-12-401

**COUNCIL ACTION: Tabled Until July 9, 1996, Meeting**

3. **Department of Administration (2 A.A.C. 5) [AR-96-0603]**

Article 9, Separations

New Sections: R2-5-903

**COUNCIL ACTION: Approved**

*Arizona Administrative Register*  
Governor's Regulatory Review Council

**FIVE-YEAR-REVIEW REPORT SCHEDULE  
JANUARY 1996 THROUGH DECEMBER 2000**

| Date Due | Agency                                     | Title | Chapter (Article)     |
|----------|--|-------|-----------------------|
| Jan 96   | Medical Radiologic Technology Board        | 12    | 2                     |
| Jan 96   | Peace Officer Standards, Board             | 13    | 4                     |
| Jan 96   | Structural Pest Control Commission         | 4     | 29                    |
| Feb 96   | Game and Fish Commission                   | 12    | 4(5)                  |
| Feb 96   | Water Resources, Department of             | 12    | 15                    |
| Mar 96   | Arizona State Museum                       | 12    | 6                     |
| Mar 96   | Executive Clemency, Board of               | 5     | 4                     |
| Mar 96   | Insurance, Department of                   | 20    | 6(1-3)                |
| Apr 96   | Commerce, Department of                    | 20    | 1(2)                  |
| Apr 96   | Dental Examiners, State Board of           | 4     | 11                    |
| Apr 96   | Radiation Regulatory Agency                | 12    | 1(1, 11, and 15)      |
| May 96   | Environmental Quality, Department of       | 18    | 2 (1-5, 7, 9, and 11) |
| Jun 96   | Agricultural Employment Relations Board    | 4     | 2                     |
| Jun 96   | Health Services, Department of             | 9     | 7                     |
| Jun 96   | Health Services, Department of             | 9     | 10 (8-14 and 17)      |
| Jun 96   | Nursing/Custodial Home Managers, Board of  | 4     | 33                    |
| Jul 96   | Administration, Department of              | 2     | 1                     |
| Jul 96   | Education, Private Postsecondary, Board of | 4     | 39                    |
| Jul 96   | Law Enforcement Merit System Council       | 13    | 5                     |
| Aug 96   | AHCCCS                                     | 9     | 22(7)                 |
| Aug 96   | Contractors, Registrar of                  | 4     | 9                     |
| Aug 96   | Funeral Directors and Embalmers            | 4     | 12                    |
| Aug 96   | Nursing, State Board of                    | 4     | 19                    |
| Sep 96   | Economic Security, Department of           | 6     | 3(13-17 and 50-56)    |
| Sep 96   | Podiatry Examiners, Board of               | 4     | 25                    |
| Oct 96   | Naturopathic Physicians Board of Examiners | 4     | 18(1)                 |
| Oct 96   | Opticians, Board of Dispensing             | 4     | 20                    |
| Oct 96   | Tourism, Office of                         | 20    | 3                     |
| Oct 96   | Weights and Measures, Department of        | 20    | 2                     |
| Nov 96   | Administration, Department of              | 2     | 6                     |
| Nov 96   | Boxing Commission, State                   | 4     | 3                     |
| Nov 96   | Environmental Quality, Department of       | 18    | 9 (7 and 8)           |
| Nov 96   | Oil and Gas Conservation Commission        | 12    | 7                     |
| Dec 96   | Environmental Quality, Department of       | 18    | 11                    |
| Dec 96   | Health Services, Department of             | 9     | 10 (1-7)              |
| Jan 97   | Agriculture, Department of                 | 3     | 2                     |
| Jan 97   | Radiation Regulatory Agency                | 12    | 1(7, 8, 10, and 13)   |
| Feb 97   | AHCCCS                                     | 9     | 22(3)                 |
| Feb 97   | Manufactured Housing, Board of             | 4     | 34                    |
| Mar 97   | Game and Fish Commission                   | 12    | 4(3 and 6)            |
| Mar 97   | Health Services, Department of             | 9     | 5                     |
| Mar 97   | Health Services, Department of             | 9     | 13                    |
| Apr 97   | Environmental Quality, Department of       | 18    | 1                     |
| Apr 97   | Environmental Quality, Department of       | 18    | 3                     |
| Apr 97   | Environmental Quality, Department of       | 18    | 5                     |
| Apr 97   | Environmental Quality, Department of       | 18    | 6                     |

*Arizona Administrative Register*  
**Governor's Regulatory Review Council**

|        |   |    |                                 |
|--------|---|----|---------------------------------|
| Apr 97 | Environmental Quality, Department of          | 18 | 7                               |
| Apr 97 | Environmental Quality, Department of          | 18 | 9 (1 and 2)                     |
| Apr 97 | Tax Appeals, State Board of                   | 16 | 1                               |
| May 97 | Administration, Department of                 | 2  | 5                               |
| May 97 | Administration, Department of                 | 2  | 10                              |
| May 97 | Hearing Impaired, Council for the             | 9  | 26                              |
| May 97 | Public Safety Retirement System, Local Boards | 13 | 8                               |
| May 97 | Public Safety, Department of                  | 13 | 1                               |
| May 97 | Public Safety, Department of                  | 13 | 2                               |
| May 97 | Public Safety, Department of                  | 13 | 3                               |
| May 97 | Public Safety, Department of                  | 13 | 6                               |
| Jul 97 | Emergency Affairs, Department of              | 8  | 2                               |
| Jul 97 | Pharmacy, Arizona State Board of              | 4  | 23                              |
| Aug 97 | Health Services, Department of                | 9  | 17                              |
| Aug 97 | Health Services, Department of                | 9  | 19                              |
| Aug 97 | Health Services, Department of                | 9  | 5 (7-10)                        |
| Aug 97 | Lottery Commission, Arizona State             | 19 | 3                               |
| Aug 97 | Medical Examiners, Allopathic Board of        | 4  | 16                              |
| Sep 97 | Coliseum and Exposition Center Board          | 3  | 12                              |
| Sep 97 | Economic Security, Department of              | 6  | 8                               |
| Sep 97 | Fire Safety Committee, State                  | 4  | 34                              |
| Sep 97 | Transportation, Department of                 | 17 | 3                               |
| Oct 97 | Agriculture, Department of                    | 3  | 5                               |
| Oct 97 | Industrial Commission                         | 20 | 5 (1-4)                         |
| Nov 97 | Environmental Quality, Department of          | 18 | 2 (6, 8, and 14)                |
| Dec 97 | Health Facilities Authority Board             | 4  | 35                              |
| Dec 97 | Insurance, Department of                      | 20 | 6(7, 8, 10, 12, 14, 16, and 17) |
| Jan 98 | AHCCCS  | 9  | 22 (1, 2, 5, 6)                 |
| Jan 98 | Transportation, Department of                 | 17 | 4 (2, 4)                        |
| Feb 98 | Health Services, Department of                | 9  | 8                               |
| Mar 98 | Agriculture, Department of                    | 3  | 3                               |
| Mar 98 | Occupational Therapy Examiners, Board         | 4  | 43                              |
| Mar 98 | Revenue, Department of                        | 15 | 1                               |
| Mar 98 | Revenue, Department of                        | 15 | 3                               |
| Mar 98 | Revenue, Department of                        | 15 | 4                               |
| Apr 98 | Environmental Quality, Department of          | 18 | 2 (10)                          |
| May 98 | Radiation Regulatory Agency                   | 12 | 1(4)                            |
| Jun 98 | Economic Security, Department of              | 6  | 1                               |
| Jun 98 | Economic Security, Department of              | 6  | 2                               |
| Jun 98 | Economic Security, Department of              | 6  | 4                               |
| Jun 98 | Economic Security, Department of              | 6  | 11                              |
| Jun 98 | Health Services, Department of                | 9  | 9                               |
| Jun 98 | Health Services, Department of                | 9  | 12                              |
| Jun 98 | Health Services, Department of                | 9  | 24                              |
| Jul 98 | Land Department                               | 12 | 5                               |
| Jul 98 | Navigable Stream Adjudication Commission      | 12 | 17                              |
| Aug 98 | Accountancy, State Board of                   | 4  | 1                               |
| Aug 98 | AHCCCS  | 9  | 27                              |
| Aug 98 | Criminal Justice Commission, Arizona          | 10 | 4                               |
| Aug 98 | Grain Research and Promotion Council          | 3  | 9                               |
| Aug 98 | Homeopathic Examiners, Board of               | 4  | 38                              |

*Arizona Administrative Register*  
**Governor's Regulatory Review Council**

|        |  |    |                     |
|--------|--|----|---------------------|
| Aug 98 | Personnel Board, State                               | 2  | 5.1                 |
| Sep 98 | Agriculture, Department of                           | 3  | 4 (1-4)             |
| Sep 98 | Radiation Regulatory Agency                          | 12 | 1 (5)               |
| Sep 98 | Real Estate, Department of                           | 4  | 28                  |
| Oct 98 | Health Services, Department of                       | 9  | 20                  |
| Nov 98 | Banking Department                                   | 20 | 4(1-5)              |
| Nov 98 | Technical Registration, State Board of               | 4  | 30                  |
| Dec 98 | Health Services, Department of                       | 9  | 10(15)              |
| Dec 98 | Game and Fish Commission                             | 12 | 4(2 and 4)          |
| Jan 99 | Environmental Quality, Department of                 | 18 | 4                   |
| Feb 99 | Economic Security, Department of                     | 6  | 13                  |
| Feb 99 | Game and Fish Commission                             | 12 | 4(1)                |
| Feb 99 | Tax Deferred Annuity, Deferred Comp. Plans           | 2  | 9                   |
| Feb 99 | Transportation, Department of                        | 17 | 1                   |
| Feb 99 | Transportation, Department of                        | 17 | 2                   |
| Mar 99 | Agriculture, Department of                           | 3  | 1                   |
| Mar 99 | Health Services, Department of                       | 9  | 21                  |
| Apr 99 | Governor's Regulatory Review Council                 | 1  | 6                   |
| Apr 99 | Psychologist Examiners, Board of                     | 4  | 26                  |
| Apr 99 | Radiation Regulatory Agency                          | 12 | 1(3)                |
| May 99 | Barbers, Arizona Board of                            | 4  | 5                   |
| May 99 | Insurance, Department of                             | 20 | 6 (11)              |
| Jun 99 | Health Services, Department of                       | 9  | 1                   |
| Jun 99 | Health Services, Department of                       | 9  | 3                   |
| Jun 99 | Parks Board, Arizona State                           | 12 | 8                   |
| Jun 99 | Revenue, Department of                               | 15 | 2                   |
| Jun 99 | Veterinary Medical Examining Board                   | 3  | 11                  |
| Jul 99 | Agriculture, Department of                           | 3  | 4(6-9)              |
| Jul 99 | Physical Therapy Examiners, Board of                 | 4  | 24                  |
| Jul 99 | Power Authority Commission                           | 12 | 14                  |
| Aug 99 | Health Services, Department of                       | 9  | 4                   |
| Aug 99 | Health Services, Department of                       | 9  | 6                   |
| Sep 99 | AHCCCS   | 9  | 22 (4, 8-12) and 29 |
| Sep 99 | Banking Department                                   | 20 | 4 (6-11)            |
| Oct 99 | Economic Security, Department of                     | 6  | 3 (18 and 25)       |
| Oct 99 | Economic Security, Department of                     | 6  | 14                  |
| Oct 99 | Naturopathic Physicians Board of Examiners           | 4  | 18(2)               |
| Oct 99 | Administration, Department of                        | 17 | 9                   |
| Nov 99 | Osteopathic Examiners in Medicine and Surgery, Board | 4  | 22                  |
| Nov 99 | Physician's Assistants, Joint Board                  | 4  | 17                  |
| Nov 99 | Transportation, Department of                        | 17 | 4 (5-9)             |
| Dec 99 | Environmental Quality, Department of                 | 18 | 8                   |
| Dec 99 | Radiation Regulatory Agency                          | 12 | 1 (2)               |
| Jan 00 | Equalization, State Board of                         | 16 | 2                   |
| Jan 00 | Industrial Commission                                | 20 | 5 (5, 6, 8-10)      |
| Jan 00 | Property Tax Oversight Commission                    | 15 | 12                  |
| Jan 00 | Revenue, Department of                               | 15 | 7                   |
| Jan 00 | Revenue, Department of                               | 15 | 10                  |
| Feb 00 | Health Services, Department of                       | 9  | 14                  |
| Mar 00 | Economic Security, Department of                     | 6  | 6                   |
| Mar 00 | Radiation Regulatory Agency                          | 12 | 1 (17)              |

*Arizona Administrative Register*  
**Governor's Regulatory Review Council**

|        |  |    |                   |
|--------|--|----|-------------------|
| Apr 00 | AHCCCS                                     | 9  | 28                |
| Apr 00 | Health Services, Department of             | 9  | 11                |
| Apr 00 | Health Services, Department of             | 9  | 18                |
| May 00 | Retirement System Board, State             | 2  | 8                 |
| Jun 00 | Economic Security, Department of           | 6  | 12                |
| Jun 00 | Insurance, Department of                   | 20 | 6 (4-6)           |
| Jun 00 | Optometry, State Board of                  | 4  | 21                |
| Jun 00 | Radiation Regulatory Agency                | 12 | 1 (9)             |
| Jul 00 | Economic Security, Department of           | 6  | 10                |
| Jul 00 | Environmental Quality, Department of       | 18 | 12                |
| Jul 00 | Health Services, Department of             | 9  | 16                |
| Jul 00 | Health Services, Department of             | 9  | 23                |
| Aug 00 | Chiropractic Examiners, Board of           | 4  | 7                 |
| Aug 00 | Radiation Regulatory Agency                | 12 | 1 (6, 12, and 14) |
| Aug 00 | Water Quality Appeals Board                | 2  | 1                 |
| Sep 00 | Administration, Department of              | 2  | 15                |
| Sep 00 | Liquor Board, State                        | 19 | 1 (1)             |
| Sep 00 | Liquor Licenses and Control, Department of | 19 | 1 (2)             |
| Sep 00 | Racing Commission, Arizona                 | 19 | 2                 |
| Oct 00 | Administration, Department of              | 2  | 7                 |
| Oct 00 | Appraisal, Board of                        | 4  | 46                |
| Oct 00 | Commerce, Department of                    | 20 | 1 (1)             |
| Oct 00 | Cosmetology, Board of                      | 4  | 10                |
| Oct 00 | Environmental Quality, Department of       | 18 | 10                |
| Oct 00 | Land Department Board of Appeals           | 12 | 5                 |
| Nov 00 | Banking Department                         | 20 | 4 (12, 14-17)     |
| Nov 00 | Building and Fire Safety, Board of         | 4  | 36                |
| Nov 00 | Tax Appeals, State Board of                | 16 | 3                 |
| Nov 00 | Revenue, Department of                     | 15 | 5                 |
| Dec 00 | Economic Security, Department of           | 6  | 5                 |
| Dec 00 | Environmental Quality, Department of       | 18 | 13                |
| Dec 00 | Health Services, Department of             | 9  | 2                 |